

Anthony DeFranco CZ-3518
10745 Route 18
Albion, Pa. 16475-0002

Honorable Susan Paradise Baxter
17 S. Park Row, A280
Erie, Pa. 16501

August 20, 2005

Re: DeFranco v. Wolfe, et al., No. 04-230-E
LETTER BRIEF; SUPPLEMENTAL EXHIBITS (2nd AMEND. COMPLAINT)

Dear Judge Baxter:

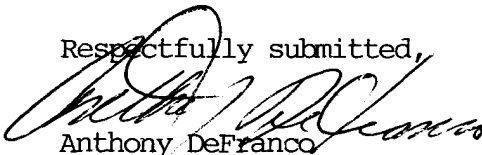
Enclosed please find a request that was omitted from my Exhibits to the 2nd Amended Complaint. It was inadvertently omitted and needs to be included with the other attachments to the 2nd Amended Complaint.

I apologize for this oversight---with all the paperwork things become quite confusing for me at times. I wanted the psychologist at Smithfield to document events for me and remain hopeful that she did (I honestly believed Smithfield was trying to hurt and possibly kill me and wanted it documented). Thank you for considering this request in conjunction with the other attached exhibits.

Your Honor, while at Smithfield, my counselor informed me that Albion staff sent some "additional reason(s)" for transferring me (other than just Mr. Barr's reasoning; due to litigation). The staff would not give me the exact specific's however, it is clear that Albion brought me back 'in spite' of that additional reason (which I submit is manufactured). As the Court is aware, I am concerned that Albion may try this transfer action again, this time fabricating a reason that they will believe this Court will accept. I am asking that the Court please keep a watchful eye on the Defendants, and protect my rights.

Thank you again for considering the attached request. I am sorry for the oversight. I wanted this to be apart of the record (2nd Amended Complaint) and considered.

Respectfully submitted,



Anthony DeFranco

SIGNED UNDER PERJURY.

CC: all defendants
Attorney Bareford
Clerk of Courts
Enc. 2 Request Slips

A30

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <i>Mrs. Cunningham (Mental Health AD.)</i>	2. Date: <i>3/17/05</i>		
3. By: (Print Inmate Name and Number) <i>Anthony DeFranco C2-3518</i> <i>Anthony DeFranco</i> Inmate Signature	4. Counselor's Name <i>Mr. K. Zimmerman</i>	5. Unit Manager's Name	
6. Work Assignment	7. Housing Assignment <i>H/A 30</i>		
8. Subject: State your request completely but briefly. Give details. <i>I am writing for your help and advise - less than a year ago I was seen by Dr. E. Polmiller (from Camp Hill) - He came to SCI-Albion to reduce or cut inmates off anxiety medications (Valium, Xanax, B2D) - I have a copy of his notes on me due to court litigation and he left me on my complete prescription of Valium as prescribed by psychiatrist Lindemuth. When I arrived here, Dr. Bauer cut HALF of my medication only because he believes it is "addictive". Even though my file shows I've tried numerous other medications, they did not work. This medication works + helps me with my panic + anxiety disorder. Since he took me off half of my medication (even though 2 other psychiatrists agreed I should remain on as is), my anxiety has become worse. Plus, I told him I rarely need the medication in the morning, to change it to afternoon - when I asked him, because it's hard for me to understand him, he had the OFC (Barcelera) escort me out for too many questions. I feel like I'm</i>			
9. Response: (This Section for Staff Response Only) <i>being conspired against due to the OFC + my court case. Please let me know what to do. Thank you.</i> <i>These are issues to discuss with Dr. Bauer.</i>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

B Cunningham PSS
Print*B Cunningham*
SignDate *3/22/05*

Anthony DeFranco CZ-3518
10745 Route 18
Albion, Pa. 16475-0002

Honorable Susan Paradise Baxter
17 South Park Row, A280
Erie, Pa. 16501

August 19, 2005

Re: *DeFranco v. Wolfe, et al., No 04-230-E*

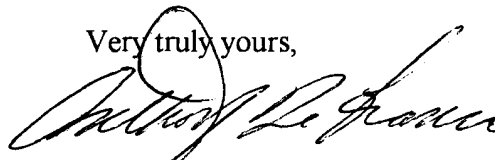
Dear Judge Baxter:

I am writing to inform the Court that SCI Albion has transferred me back (on 8/2/05). I have already informed the Clerk of the change in address.

As the Court may be aware from my filings, the Superintendent here had allowed my return by letter dated May 10, 2005. While the reason for my transfer out of Albion was due to Mr. Barr and his need of the transfer '*due to litigation*' (see attached grievance response). After this grievance response, Albion sent SCI Smithfield an additional reason(s) for the transfer but the staff would not give me the specifics. However, **in spite** of these manufactured other reasons, Albion still brought me back. I submit that any other reason to move me is or would be manufactured to withstand federal scrutiny.

Your Honor, since I have recently submitted the 2nd Amended Complaint, raising the retaliatory transfer, and sent every named Defendant a copy, it is my specific concern that Albion may attempt to do this all over again, this time using other embellished rationale. This Court's watchful eye's are requested to protect me and my Constitutional rights. Thank you for your time and understanding in this matter. I remain,

Very truly yours,

A handwritten signature in black ink, appearing to read 'Anthony DeFranco', written over a circular stamp or mark.

Anthony DeFranco

CC: Attorney Bareford
Clerk of Courts

Re: DeFranco v. Wolfe, et al. 04-230-E

Dear Clerk,

8/20/05

Would you please file the enclosed Letter Brief (Supplement of Exhibits to my 2nd Amended Comp.) + correspondence to Judge Baxter. There are 2 request slip from the psychologist at Smithfield I omitted.

Please confirm that you received these + filed them. I really appreciate your continual help + understanding.

Thank you.

Enc. - w/ 2 Request + Slips

Sincerely,
Anthony DeFranco

C2-351F

10745 Route 1F

Albion, Pa. 16575-0002